

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X

MARK SOKOLOW, *et al.*,

Plaintiffs,

- against -

THE PALESTINE LIBERATION ORGANIZATION,  
*et al.*,

Defendants.

Docket No:

04-CV-397 (GBD) (RLE)

-----X

**CONSENT MOTION PURSUANT TO FED. R. CIV. P. 28(b)(1)(D) TO  
APPOINT COMMISSIONERS FOR THE TAKING OF DEPOSITIONS ABROAD**

Defendants the Palestinian Authority (“PA”) and the Palestine Liberation Organization (“PLO”) hereby request that, pursuant to Fed. R. Civ. P. 28(b)(1)(D), the Court appoint Ms. Brenda Matzov, Ms. Isabelle Klebanow and Ms. Amy Katz as Commissioners of this Court, authorized to administer oaths and record testimony at depositions conducted outside the United States in this matter. Plaintiffs consent to the relief requested by this Motion.

Many of the expert witnesses for Plaintiffs currently reside in the Middle East. Fed. R. Civ. P. 28(b)(1)(D) provides that a deposition may be taken in a foreign country “before a person commissioned by the court to administer any necessary oath and take testimony.”

Ms. Matzov, Ms. Klebanow and Ms. Katz are all U.S. certified, highly experienced court reporters based in Israel who have been retained by Defendants for the purpose of taking depositions outside of the United States in this matter, and who have also been appointed and served as commissioners in many other federal proceedings. Ms. Matzov has been appointed as a commissioner in *Kaplan v. Hezbollah*, Civ. No. 09-646 (D.D.C.); *Klieman v. Palestinian Authority*, Civ. No. 04-1173 (D.D.C.); *Wultz v. Bank of China*, Civ. No 11-01266 (S.D.N.Y.);

*Almog v. Arab Bank*, Civ. No. 04-5564 (E.D.N.Y); *Saperstein v. Palestinian Authority*, Civ. No. 04-20225 (S.D.Fla.); *Ungar v. Palestinian Authority*, Civ. No. 00-105 (D.R.I.) and *Shatsky v. The Syrian Arab Republic*, Civ. No. 02-cv-2280 (D.D.C.). Ms. Klebanow has also been appointed as a commissioner in *Kaplan, Wultz, Ungar and Shatsky*. Ms. Katz has also been appointed as a commissioner in *Kaplan, Wultz, Ungar and Shatsky*. Ms. Matzov, Ms. Klebanow and Ms. Katz are not relatives, employees or attorneys of any party, and are not financially interested in the action, and are therefore not disqualified under Fed. R. Civ. P. 28(c).

**WHEREFORE**, Defendants respectfully request that the Court enter an Order appointing Ms. Brenda Matzov, Ms. Isabelle Klebanow and Ms. Amy Katz as Commissioners of this Court, authorized to administer oaths and record testimony at depositions conducted outside the United States in this matter. A proposed order is submitted herewith.

October 9, 2013

Respectfully Submitted,

/s/ Mark J. Rochon

Mark J. Rochon

Richard A. Hibey

Laura G. Ferguson

Brian A. Hill

MILLER & CHEVALIER CHARTERED

655 15<sup>th</sup> Street, NW, Suite 900

Washington D.C. 20005-6701

(202) 626-5800 [tel]

(202) 626-5801 [fax]

mrochon@milchev.com [email]

*Counsel for Defendants the Palestinian Authority and the  
Palestine Liberation Organization*